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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,369

11/22/2006

John Hillel Moshal

06-242

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10/02/2008

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EXAMINER

LI, WEI

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

10/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/574,369	<b>Applicant(s)</b> MOSHAL, JOHN HILLEL	
	<b>Examiner</b> WEI LI	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 - 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :IDS (3/31/2006) and IDS (1/16/2007).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 1, 5 – 10, 14, 17 – 20, 24 – 28, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037).**

3. Regarding claim 1 and 20, Vuong discloses a gaming system, comprising: a gaming server (Fig 1, part 124); a plurality of player stations remote from the gaming server (Fig 7), each player station being capable of rendering to a player a simulation of at least one game of chance (P11, 1-6) and enabling the player to place a wager on a turn of the at least one game of chance (P10, 1-3); and a communication network capable of providing communication between the gaming server and the plurality of player stations (P19, 1-2); the gaming server records transaction data relating to each wager placed by any player on each turn of the at least one game of chance and the transaction data including at least the size of the wager, an outcome of the turn of the game of chance, and a geographic location of the player station on which the wager was placed by the player (P39, 8-16; P12, 1-4). Vuong also teaches the method of recording the time and date on the gaming server when the gaming machine is being accessed (P49, 1-3), it would have been obvious for one skilled in the art to modify the aforementioned method to record the time and date of the wager for the purpose of improving the player wagering tracking process.

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5. Regarding claims 5 – 7 and 24 - 25, Vuong also discloses that the gaming server maintains on the gaming system maintains a register of all players who utilize the gaming system to play the at least one game of chance (P31, 1-3). Vuong also discloses that the register stores, for each player, a player identity (P31, 1-3). Vuong also discloses that player identify is verified using the identification card (P31, 1-3; P 39, 1-7), it is inherent that each identification card must have a unique code for the purpose of properly performing the player identification process.

6. Regarding claims 8 and 26, Vuong also discloses the player terminal require any player to be identified before commencing play of the at least one game of chance (P41, 1-4, Fig 2). Vuong also discloses that the server maintains a log file (transaction data file) for each player (P43; Fig 2), which means that each transaction/wager data file is based on (include) the identity of the player.

7. Regarding claims 9 and 27, Vuong also discloses that the gaming server is being configured collect (determine) at least one of:(a) a total gross win or loss for each individual player in the register; and(b) a total gross win or loss for each one of the plurality of player stations of the gaming system (P39, 11-14). It would have been obvious for one skilled in the art to perform the aforementioned functions on a administration facility communicable with the gaming servers by means of communication network as claimed since the specific location used to performed gross win determination process is considered a design choice in that the applicant does not disclose any advantage or critically to the claimed design.

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8. Regarding claims 10 and 28, it is notoriously well known in the art that a component (for example, an administration facility) on the gaming system can be configured to determine a total gross win or loss for all the player stations together.

9. Regarding claims 14 and 32, it is notoriously well known in the art that player station accepts wagers in one of a number of different standard wager denominations and each one of the number of different standard wager denominations being a predetermined integral or fractional number of units of credit (for example denominations can be 10 cents, a quarter and 50 cents). It would have been obvious for one skilled in the art to use the aforementioned multiple denomination method on a player station/gaming device for the purpose providing more wager options to the players and increased player interest.

4. Regarding claim 17, Vuong also discloses that each player station has a processor and a display monitor on which the simulation of the at least one game of chance is rendered to the player (Fig 1).

5. Regarding claim 18, Vuong also discloses that the player station has any one or more of a coin acceptor, a banknote validator, a keypad and a printer (P30, 7-9).

6. Regarding claim 19, Vuong also discloses that the communication network is the Internet (P19, 1-3).

**6. Claims 2-4 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037) and Nelson (US 6935958)**

7. Regarding claims 2 and 21, Nelson teaches that each player station has a unique identification code (Col 10, 26 – 32 (table 1), see below). Therefore, all the claimed

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elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of providing a gaming machine locating and tracking method to the gaming operators/gambling facilities (as stated by Nelson, Col 1, 57 – 60), with no change in their respective functions, and the combination would have yielded predictable results.

Gaming Machine ID #	Gaming Machine Network Address	Gaming Machine Location Data
1938	5	\$1.00 denomination
405	10	\$0.25 denomination
2496	10	25 coin max bet
1922	10.10.100.23	Game is Keno

8. Regarding claims 3 and 22, as stated in rejection for claim 1 (see above), Vuong discloses that the geographic location of any player station is stored in a player station database associated with the gaming server. Nelson teaches the method indexing plurality of player station according to the unique identification codes of the plurality of player stations (table 1 (see above); Col 8, 48 – 49; the indexing method can be used in the player station database).

9. Regarding claims 4 and 23, as shown in table 1, Nelson teaches that the gaming machine geographic location data is indexed by the unique identification code of the player station, which means using the indexing method described by Nelson, the gaming server (described by Vuong) can derive the geographic location of any player

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station from the player station database by means of using the unique identification code of that player station as an index.

**10. Claims 11 - 13 and 29 – 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037), Gerrard (US 20040048644) and Allibhoy (US 6824469)**

11. Regarding claims 11 -13 and 29 - 31, Gerrard teaches that a gaming system (which can include an administration facility) can accumulate, in an accumulation account, a proportion of all wagers placed by player on any of the plurality of player stations (P12, 5-7). Allibhoy teaches the method performing gaming functions (for example, accumulate portion of the wager into an accumulation account **or** reimburse the players within the community) on player stations whose geographic location falls within the selectable geographic area (Col 4, 3-8). Gerrard also teaches that the gaming system (which can include an administration facility), reimburses the community, out of the contents of the accumulation account, in respect of the gross loss at all player station (P122, 4-8). Gerrard also teaches that the gaming system (which can include an administration facility) reimburses the community in respect of a total of all wagers placed at any player station (P12, 5-7 and 11-18; without clear distinguishing features, the awarding of progressive jackpot (which is accumulated from portions of player's wagers) reads on reimburses players within the community). Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of increasing player's interest in playing



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the game by providing additional rewards to players, with no change in their respective functions, and the combination would have yielded predictable results.

**12. Claims 15 - 16 and 33 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong (US 20030195037), Gerrard (US 20040048644), Allibhoy (US 6824469) and Torango (US 5885158)**

**13.** Regarding claims 15 – 16 and 33 - 34, Torango teaches that the player station database stores for each player station, a corresponding standard wager denomination for wagers placed by the player at that play station (Col 25, 31-35). It would have been obvious for one skilled in the art to recognize that a unique identification code (for example, machine id) can be used to derive the wager denomination of any particular player station from the player station database as claimed since exact identifier used to retrieve/derive the wager denomination information from the player station database is considered a design choice in that the applicant does not disclose any advantage or critically to the claimed design. Therefore, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements by known methods for the purpose of improving the gaming data tracking process by including additional gaming information in the database, with no change in their respective functions, and the combination would have yielded predictable results.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Hornik (US 7156741), Coyle (US 5993316) and Nicely (US 20040152511)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to WEI LI whose telephone number is (571)270-3760. The examiner can normally be reached on M-F (alternative Friday off) 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wei Li  
Patent Examiner

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Unit 3714

WL  
9/30/08

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